



**CITY OF BURLINGTON, NORTH CAROLINA
DECLARATION OF LOCAL STATE OF EMERGENCY
OF MAY 22, 2020
(Burlington State of Emergency No. 4)**

WHEREAS, the novel coronavirus (COVID-19) is a highly contagious respiratory disease that can result in serious illness or death; and

WHEREAS, in consultation with health care professionals and based upon guidance from CDC and NCDHHS, actions we taken and must be continued that are deemed necessary and appropriate to minimize the impacts of COVID-19 to enhance the health and safety of residents of the City of Burlington; and

WHEREAS, the City of Burlington is located within both Alamance County and Guilford County; and

WHEREAS, the Burlington City Council, the governing body of the City of Burlington, by and through the Mayor, pursuant to the authority set out in Chapter 166A, Article 1A, of the North Carolina General Statutes and Burlington City Code of Ordinances, Chapter 10, declared an initial State of Emergency (“SOE” or “declaration”) in the City of Burlington, effective March 27, 2020 (hereafter, “Burlington SOE No. 1”); and

WHEREAS, in said March 27, 2020 declaration, the Mayor set out the background and history establishing the basis for imposing such a SOE within the municipal jurisdiction and set out restrictions for car washes, municipal departments and operations, funerals and burials, recreation and parks facilities, municipal hosted events, public gatherings and scheduled City Council meetings; and

WHEREAS, the Governor’s Executive Order No. 121, Section 4 specifically provided for local governments, through municipality and county declared States of Emergency, to impose restrictions and prohibitions that serve to be more stringent and restrictive than the prohibitions and restrictions established by the Governor’s Executive Orders; and

WHEREAS, the Mayor’s three previously declared States of Emergency effective March 27, 2020 (“Burlington SOE No. 1”), April 8, 2020 (“Burlington SOE No. 2”), and April 30, 2020 (“Burlington SOE No. 3”), included provisions that served to restrict and prohibit specified activities and behaviors within the City’s jurisdiction. Said Burlington SOE provisions were more stringent than those restrictions and prohibitions established in the Governor’s various Executive Orders; and

WHEREAS, the spread of COVID-19 virus continues to pose a threat to the health and safety of residents of Burlington as well as the healthcare community and first responders. However, since the entry of new data suggests that while the number of infections continues to increase the curve is flattening, indicating that the interventions are having the desired effect such that several of the City's more restrictive provisions of the original and Amended States of Emergency may be removed; and

WHEREAS, based on the Daily Situation Reports from the Alamance County Emergency Management team, the more restrictive measures imposed by the City of Burlington in part have resulted in comparatively fewer COVID-19 infected and hospitalized individuals in Alamance County in relation to statistics of neighboring counties; and

WHEREAS, the Burlington SOE No. 3, effective April 30, 2020, served to rescind the restrictions of Burlington SOE No. 1 and Burlington SOE No. 2, except as to the following restrictions and prohibition which remained in effect:

1. **Car Washes** – Car washes in the City of Burlington may remain open and operating for exterior car washes only. With drive-thru car washes, patrons shall remain in the vehicle. Internal vacuuming stations/islands may remain operational for patron use only. Sanitizer must be provided by the operator and readily available onsite to enable the cleaning and sanitizing of washing and vacuuming equipment (handles, wands, hoses, etc.) after each use of the equipment. In no instance shall car wash staff/employees enter a patron's vehicle.
2. **Hours of operation** - The City Manager shall have the authority to adjust hours for all municipal departments, to include reduced hours of operations, cessation of operations, or the provisions of employees to work from a distance.
3. **Funerals and Burials** - The following provisions shall apply to all private and public cemeteries:
 - a. Graveside burials shall be restricted to include no more than 10 individuals at the cemetery gravesite;
 - b. Prohibit the use of walled tents, lap blankets, seat covers, or water coolers at services and take measures to require and promote social distancing;
 - c. This does not restrict the number of attendees participating from the confines of their vehicles for gravesite burial services; and,
 - d. Funeral homes are encouraged to use webcasting and streaming applications to broadcast services.
4. **Recreation and Parks Facilities** - All indoor recreation centers are hereby closed, and all recreation programs are hereby canceled, pending the revocation of the Declaration, or a finding by the City Manager that individual facilities may be operated, or that programs may be reinstated, prior to the revocation of this Declaration. Outdoor public parks will remain open. Public and private communal playgrounds are to be closed. No organized play is to be permitted at City sports fields or courts. All rentals of City Recreation and Parks Department properties are cancelled. These restrictions do not pertain to golf courses or other outdoor recreation facilities where six feet of social distancing can be easily accomplished.

5. **Events** - All events being held on public grounds or hosted by the City of Burlington have been postponed pending a decision by the City Manager or the revocation of this Declaration.
6. **Gatherings** - All public and private social gatherings of more than ten (10) people, are hereby prohibited. A social gathering is defined as any event or convening that brings together more than 10 persons in a single room or single space at the same time. A single space may include facilities such as an auditorium, stadium, arena, conference room, meeting hall, theater or any other confined indoor or outdoor space.

WHEREAS, Burlington SOE No. 3 commenced April 30, 2020, at 5:00 p.m. and its duration coincided with the Governor's Emergency Orders effective dates, as amended, unless sooner revised, amended, or terminated by the Mayor; and

WHEREAS, the Governor's latest Emergency Order No. 141 was issued effective May 22, 2020 at 5:00 p.m. and serves to implement what the Governor's office is referring to as "Phase II" of the COVID-19 reopening; and

WHEREAS, declaring a local State of Emergency and imposing the restrictions and prohibitions ordered herein are necessary to maintain order and protect the public health, safety, and welfare and secure property.

NOW, THEREFORE, pursuant to the authority vested in me as Mayor of the City of Burlington, North Carolina, establishing in Chapter 166A of the North Carolina General Statutes and Burlington City Code Section 10-26, I write the following order hereafter referred to as Burlington State of Emergency No. 4 ("Burlington SOE No. 4):

Section 1. Burlington SOE No. 3 is hereby rescinded within the jurisdiction of Burlington and the City adopts the restrictions, prohibitions and recommendations of the Governor's various Executive Orders, including Executive Order No. 141 which is effective May 22, 2020 at 5:00 p.m., subject to the more restrictive conditions and prohibitions specified below in Section 2; and

Section 2. In addition to the provisions, prohibitions, and recommendations set out in the Governor's Executive Orders, the following shall be in full force and effect in the City of Burlington:

1. **Hours of operation of municipal departments.** The City Manager shall have the authority to adjust hours for all municipal departments to include reduced hours of operations, cessation of operations, or the provisions of employees to work from a distance.
2. **Events.** The City Manager shall have the authority to postpone or cancel events held on City owned public grounds and in City owned facilities.
3. **Recreation and Parks Facilities.** Outdoor public parks shall remain open including Indian Valley Golf Course and the City marinas, provided six-foot social distancing is practiced. All indoor recreation centers remain closed. All recreation programs are


cancelled. No organized play is permitted on City athletic fields or courts. Public and private communal playgrounds shall remain closed. All rentals of City Recreation and Park Department facilities are cancelled. The City Manager shall have the authority to adjust these conditions, restrictions, and prohibitions pertaining to the City's Recreation and Parks facilities and programs.

Section 3. Pursuant to NCGS 166A-19.30(a)(2), these provisions shall be enforced by the Burlington Police Department and other law enforcement agencies with jurisdictional authority in the City of Burlington.

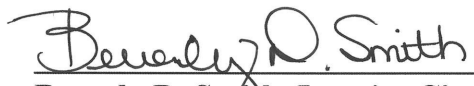
Section 4. I hereby order the City of Burlington law enforcement officers, employees, and all other emergency management personnel subject to our control to cooperate in the enforcement and implementation of the provisions of this Burlington SOE No. 4, as well as the provisions, restrictions, and prohibitions set out in all Executive Orders of the State of North Carolina's Governor.

Section 5. This Burlington State of Emergency No. 4 shall be effective beginning Friday, May 22, 2020 at 5:00 p.m. Its duration shall coincide with the Governor's Executive Orders, as amended, unless sooner revised, amended, or terminated by the Mayor.

Declared this 22nd day of May 2020.


Ian Baltatis, Mayor
City of Burlington, NC

Attest:


Beverly D. Smith, Interim City Clerk
City of Burlington, NC

